

SEALED

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNITED STATES OF AMERICA *ex rel.*
DAVID CHOATE, *et. al.*,

Plaintiffs,

v.

DNA STAT, *et al.*,

Defendants.

Civil Action No. 3:14-CV-1691-B

FILED UNDER SEAL

ORDER DISMISSING CLAIMS AGAINST PRIMEX

The United States of America, along with Relators David Choate and Don Pyburn (Relators), and defendant Primex Clinical Laboratories, Inc. (Primex), have submitted their Joint Stipulation of Dismissal pursuant to Federal Rule of Civil Procedure 41(a), 31 U.S.C. § 3730(b)(1), and the terms and conditions of the Settlement Agreement between and among the United States, Relators, and Primex (Settlement Agreement). The Court hereby rules as follows:

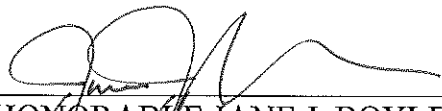
IT IS ORDERED that the claims against Primex are hereby dismissed with prejudice as to the Relators, save and except for any claims related to any dispute involving a claim by Relators for reasonable expenses, attorneys' fees, and costs pursuant to 31 U.S.C. § 3730(d) or any other legal theory;

IT IS ORDERED that with respect to the United States, the claims against Primex are hereby dismissed with prejudice as to the Covered Conduct (as defined in the parties' Settlement Agreement) and otherwise without prejudice;

IT IS FURTHER ORDERED that this Court will retain jurisdiction over (a) any disputes that may arise regarding the Settlement Agreement, and (b) any dispute involving any claim that Relators may assert for reasonable expenses, attorneys' fees, and costs pursuant to 31 U.S.C. § 3730(d) or any other legal grounds or theory.

IT IS FURTHER ORDERED that the seal shall be lifted upon the following documents: Plaintiffs' Original Complaint [Filed Under Seal], filed on May 7, 2014; Stipulation for Entry of Agreed Judgment, filed on January 10, 2018; Agreed Judgment; Relators' Unopposed Notice of Dismissal Without Prejudice For Defendants DNA Stat and Research and Development Institute Incorporated, filed on January 9, 2018; United States of America's Consent to Dismissal of Claims Against Defendants DNA Stat and RDI, filed on January 10, 2018, and any order dismissing claims against DNA Stat and RDI; Joint Stipulation of Dismissal of Claims Against Primex, filed on January 10, 2018; this Order; and any subsequent filings in this case. All other contents of the Court's file in this action shall remain under seal and not be made public.

Dated January 17, 2018



HONORABLE JANE J. BOYLE
UNITED STATES DISTRICT JUDGE